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Dated: \_\_\_\_\_

Docket No.: 1385/4  
(03331/1201982-US1)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mordechai Nisani et al.

Application No.: 09/664,755

Confirmation No.: 5136

Filed: September 19, 2000

Art Unit: ~~2153~~ 2152

For: COMMUNICATION MANAGEMENT  
SYSTEM FOR COMPUTER NETWORK-  
BASED TELEPHONES

Examiner: D. C. Dinh

**COVER LETTER FOR TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is a terminal disclaimer, executed by the attorney of record in the above-identified application, and the fee of \$110.00 as set forth in 37 C.F.R. 1.20(d).

Applicant is filing the enclosed terminal disclaimer merely to remove any potential issue as to whether the claims of the above-identified application and those of U.S. Patent No. 6,122,665 in any way conflict. However, neither Applicant nor the assignee intend to make any representation as to whether the invention defined by any of the claims of either the above-identified application or the aforementioned patent would have been obvious in view of the other or whether an obvious-type double patenting rejection would be appropriate if the enclosed terminal disclaimer were not filed.

The Commissioner is hereby authorized to charge the \$110.00 Terminal Disclaimer fee or credit any overpayment to Deposit Account No. 04-0100.

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Application No.: 09/664,755

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Docket No.: 1385/4  
(03331/1201982-US1)

Should the Examiner have any questions or comments regarding this matter, the undersigned may be contacted at the below-listed telephone number.

Dated: November 19, 2004

Respectfully submitted,

By   
David Leason

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PTO/SB/28 (09-04)  
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

13R5/4  
(03331/1201982-US1)

In re Application of: **Mordechai Nicani et al.**

Application No.: **09/664,755**

Filed: **September 19, 2000**

For: **COMMUNICATION MANAGEMENT SYSTEM FOR COMPUTER NETWORK-BASED  
TELEPHONES**

The owner, **STS SOFTWARE SYSTEMS LTD.**, of **100%** interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent # **6,122,665** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. **36,195**

  
Signature

**November 19, 2004**  
Date

**David Leason**  
Typed or printed name

11/22/2004 LWONDIM1 00000100 040100 09664755

01 FC:1814 110.00 DA

**212-527-7602**  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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